

Translation

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

FP051103PUS

(PCT Article 36 and Rule 70)

| | | | |
|--|--|--|-----------------------|
| Applicant's or agent's file reference X03059P | FOR FURTHER ACTION | | See Form PCT/IPEA/416 |
| International application No. PCT/JP2003/015251 | International filing date (<i>day/month/year</i>) 28 November 2003 (28.11.2003) | Priority date (<i>day/month/year</i>) 29 November 2002 (29.11.2002) | |
| International Patent Classification (IPC) or national classification and IPC G01C 21/34, G08G 1/137 | | | |
| Applicant XANAVI INFORMATICS CORPORATION | | | |

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. (*sent to the applicant and to the International Bureau*) a total of 4 sheets, as follows:

sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

| | |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

| | |
|---|--|
| Date of submission of the demand 26 July 2004 (26.07.2004) | Date of completion of this report 14 February 2005 (14.02.2005) |
| Name and mailing address of the IPEA/JP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/015251

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- international search (under Rules 12.3 and 23.1(b))
- publication of the international application (under Rule 12.4)
- international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

The international application as originally filed/furnished
 the description:
 pages _____ 1-35 _____, as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____

the claims:
 pages _____ 5-9 _____, as originally filed/furnished
 pages* _____ received by this Authority on _____, as amended (together with any statement) under Article 19
 pages* 3-4, 11-12, 15 _____ received by this Authority on 26 July 2004 (26.07.2004)
 pages* _____ received by this Authority on _____

the drawings:
 pages _____ 1-32 _____, as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages _____
- the claims, Nos. 1-2, 10, 13-14 _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages _____
- the claims, Nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|------------------------|-----|
| Novelty (N) | Claims | <u>3-9, 11, 12</u> | YES |
| | Claims | <u>15</u> | NO |
| Inventive step (IS) | Claims | <u>9, 11, 12</u> | YES |
| | Claims | <u>3-8, 15</u> | NO |
| Industrial applicability (IA) | Claims | <u>3-9, 11, 12, 15</u> | YES |
| | Claims | | NO |

2. Citations and explanations

Document 1: JP 2002-213981 A (Equos Research Co., Ltd., Aisin A.W. Co., Ltd.), 31 July 2002, entire text; fig. 7

Document 2: JP 2001-147120 A (Equos Research Co., Ltd.), 29 May 2001, paragraph 5, line 14 to paragraph 8, line 43; fig. 12

Document 3: JP 09-055718 A (NEC Corporation), 25 February 1997, entire text

Document 4: JP 2002-107169 A (Hitachi, Ltd.), 10 April 2002, line 32; fig. 34

Document 5: JP 2001-141490 A (Equos Research Co., Ltd.), 25 May 2001, paragraph 10, lines 33 to 38; paragraph 11, line 42 to paragraph 12, line 33; paragraph 14, line 24 to paragraph 16, line 14; fig. 5)

The invention set forth in claim 3 does not involve an inventive step in the light of documents 1 or 2 and document 3.

It would be easy for a person skilled in the art to apply the communication method of the invention set forth in document 3, wherein data length is varied according to communication status, when carrying out communication with

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the navigation device set forth in document 1 or 2.

The invention set forth in claims 4 to 8 does not involve an inventive step in the light of documents 2 and 4.

It would be easy for a person skilled in the art to apply the feature of the invention set forth in document 4, wherein the user is notified of communication time, and instructions are received from the user by divided transmission, when carrying out communication using the navigation device set forth in document 2.

The invention set forth in claim 15 is disclosed in document 5, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claims 9, 11 and 12 is not disclosed in any of the documents cited in the international search report, and would not be obvious to a person skilled in the art.